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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CONRAD BRAUN and GARY
SANKARY, individually and on behalf of
all others similarly situated ,

Plaintiffs,

vs.

SAVEOLOGY.COM, LLC, a Florida
Limited Liability Company; and
ELEPHANT GROUP, INC. a Delaware
Corporation,

Defendants.

Case No.: 12-CV-0085 JLS MDD

NOTICE OF SETTLEMENT AND JOINT
REQUEST TO VACATE PENDING
DOCKET EVENTS

Plaintiffs Conrad Braun and Gary Sankary and defendants Saveology.com, LLC
and Elephant Group, Inc. hereby jointly give notice that the above-captioned matter is

1 settled on an individual basis as to the named plaintiffs. This notice of settlement is made
2 with respect to the following:

3
4 1. An earlier filed, related proceeding entitled *Desai v. ADT Security Services,*
5 *Inc.*, No. 1:11-cv-01925 encompasses the class claims asserted by plaintiffs in this action,
6 and is currently pending in the United States District Court for the Northern District of
7 Illinois (“*Desai*”).

8
9 2. The parties to the *Desai* action are in the final stages of negotiating a class
10 action settlement that provides compensation to class members for the claims asserted in
11 this action.

12
13 3. Plaintiffs have investigated the status of claims and proceedings in *Desai*,
14 as well as the status of settlement negotiations in *Desai*, and believe that the claims of
15 class members in this action have been and will be adequately represented in *Desai*.

16
17 4. The settlement of this action is conditioned on performance of certain
18 settlement terms by defendants to be completed on or about January 13, 2013.

19
20 5. The parties intend to submit a joint motion for dismissal once the settlement
21 terms are fully performed. The parties will request dismissal of the claims of Conrad
22 Braun and Gary Sankary with prejudice and dismissal of the claims of the putative class
23 without prejudice.

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1 Based on the foregoing, the parties request pending docket events and deadlines be
2 vacated to allow the parties to finalize the settlement and file a joint motion for dismissal
3 in January 2013.
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5 **SIGNATURE CERTIFICATION**

6 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
7 and Procedures Manual, I hereby certify that the content of this document is acceptable to
8 William R. Restis, counsel for plaintiffs Conrad Braun and Gary Sankary, and that I have
9 obtained Mr. Restis's approval of his electronic signature to this document.
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11

12
13 Dated: 10/30/12

FINKELSTEIN & KRINSK, LLP

14 /s/William Restis
15 William Restis
16 Attorney for Plaintiffs

17
18 Dated: 10/30/12

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.P.

19 /s/Debbie P. Kirkpatrick
20 Debbie P. Kirkpatrick
21 Attorney for Defendants
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